

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

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Attorney for the debtor

In Re:  
Margaret Schemelia

Case Number: 19-15830

Hearing Date: August 27, 2019 at 10:00 a.m. .

Judge: Jerrold N. Poslusny

Chapter: 13

Recommended Local Form: ☒ Followed ☐ Modified

**CERTIFICATION IN OPPOSITION TO MOTION FOR SANCTIONS**

Mark W. Ford, Esquire , of full age, does hereby certify and state:

1. I am an attorney at law in the State of New Jersey and in the above-captioned matter and have personal knowledge of the facts stated herein.
2. I am the attorney for the debtor, Margaret Schemelia.
3. When I first contacted the debtor regarding this matter , her granddaughter, Amy Canning scheduled an appointment with my office about the notice from the Sheriff's Department.
4. On or about March 12, 2019, I met with Amy Canning and she advised me not only that her grandmother was older but also becoming forgetful and questioned her mother's competence to handle her own financial affairs.
5. I was advised that the mortgage payments had been made up until February, 2019.
6. I was also advised that there certainly could not be a mortgage foreclosure since they thought they were supposedly current with their mortgage payments.
7. They thought it may have been a tax lien foreclosure.

8. Also, they did not understand how it could have advanced this far since she had not received any notice of anything.
9. In the most recent observation, I received potential reasonable defenses so that I could ascertain due process of Margaret Schemelia. One being the doctrine of Equitable Estoppel since they were receiving and accepting mortgage payments up until February, 2019 and she was misled and not aware that any type of foreclosure proceedings were initiated.
10. The debtor and I as her counsel:

The debtor made payments to the Trustee.

The debtor attended the 341 Meeting of Creditors.

The debtor supplied documents to the Trustee as requested including

-Market analysis

-Proofs of income

-Letter of support

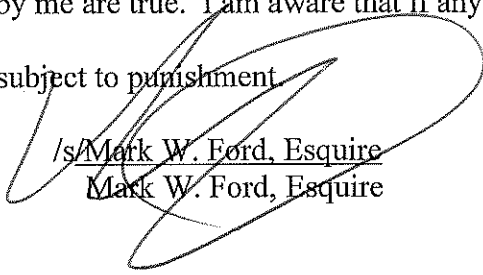
-Proof of income for the letter of support

-tax return (see attached exhibits)

11. Furthermore when there were problems of proof, we attempted to negotiate reasonable compliance.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment

Date: August 19, 2019

  
/s/Mark W. Ford, Esquire  
Mark W. Ford, Esquire